

**ENTERED**

January 16, 2024

Nathan Ochsner, Clerk

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re:	)	Chapter 11
	)	
ENVISION HEALTHCARE	)	Case No.: 23-90342 (CML)
CORPORATION, <i>et al.</i> , <sup>1</sup>	)	
	)	
Reorganized Debtors.	)	(Jointly Administered)
	)	

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**STIPULATION AND AGREED ORDER REGARDING EXECUTORY CONTRACT  
WITH KFORCE**

The above-captioned reorganized debtors (the “**Reorganized Debtors**”, and prior to the Effective Date, the “**Debtors**”) and Kforce Inc. (“**Kforce**”, and together with the Reorganized Debtors, the “**Parties**”), by and through their undersigned counsel, enter into this stipulation and agreed order (the “**Stipulation and Agreed Order**”) as follows:

A. Kforce and Reorganized Debtor Envision Healthcare Corporation (“**Envision**”) are parties to a Master Services Agreement (the “**MSA**”) dated January 18, 2018, as amended on June 23, 2022, and supplemented by a Memorandum of Terms dated January 19, 2019. In the *Plan Supplement for the EVPS Debtors’ Second Amended Joint Chapter 11 Plan of Reorganization* [Docket No. 1536] (as subsequently amended, the “**Plan Supplement**”), the Debtors identified certain agreements, including the MSA, to be assumed by the Debtors in connection with their Plan in these chapter 11 bankruptcy cases. *See* Docket No. 1536, pp. 67-68. The MSA and other active agreements between Kforce and the Debtors shall be referred to herein as the “**Kforce Agreements.**”

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<sup>1</sup> A complete list of each of the Debtors in these chapter 11 cases and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors’ claims and noticing agent at <https://restructuring.ra.kroll.com/Envision>. The Debtors’ service address is 1A Burton Hills Boulevard, Nashville, Tennessee 37215.

B. Kforce timely filed proofs of claim for amounts owed under the Kforce Agreements against Envision and AmSurg, LLC (the “**Proofs of Claim**”).<sup>2</sup> See Claim Nos. 780 and 788.

C. On October 9, 2023, Kforce filed its *Objection to Debtors’ Proposed Cure Amounts for Assumption of Executory Contracts* [Docket No. 1638] (the “**Cure Objection**”).

D. On December 18, 2023, the Debtors filed their *Fourth Amended Plan Supplement for the EVPS Debtors’ Third Amended Joint Chapter 11 Plan of Reorganization (Technical Modifications)* [Docket No. 1933] which provided for a cure payment with regard to the Kforce Agreements in the amount of \$647,844.

E. Pursuant to the Plan Supplement and this Court’s *Revised Order Confirming the Third Amended Joint Chapter 11 Plan of Reorganization of the EVPS Debtors (Technical Modifications)* [Docket No. 1687] (the “**Confirmation Order**”), the Debtors and Envision assumed the Kforce Agreements.

F. The Debtors have paid, and Kforce has received, the full cure payment (the “**Cure Payment**”).

**NOW THEREFORE**, the Parties hereby stipulate and agree as follows:

1. The Kforce Agreements were and remain assumed as provided by the Plan Supplement and Confirmation Order.

2. The Cure Payment was made in full and final satisfaction of any and all threatened or actual claims against the Debtors, known or unknown, asserted or unasserted, or that arose on or before May 15, 2023, including the Proofs of Claim.

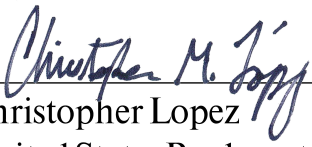
3. Kforce shall withdraw the Cure Objection and any remaining Proofs of Claim within five (5) business days of entry of this Stipulation and Agreed Order.

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<sup>2</sup> On October 16, 2023, Kforce withdrew its proof of claim against AmSurg, LLC. See Docket No. 1711.

4. The undersigned hereby represent and warrant they have full authority to execute this Stipulation and Agreed Order on behalf of the respective Parties and that the respective Parties have full knowledge of, and have consented to, this Stipulation and Agreed Order.

Signed: January 16, 2024

  
\_\_\_\_\_  
Christopher Lopez  
United States Bankruptcy Judge

Consented and Agreed to by:

/s/ Rebecca Blake Chaikin

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